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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT GODINEZ,

Defendant.

CASE NO. 2:23-CR-00161-DAD

ORDER SEALING GOVERNMENT'S EXHIBITS 2
AND 3 ONLY

Pursuant to Local Rule 141(b) and based upon the representation contained in the government's Request to Seal (ECF No. 96), IT IS HEREBY ORDERED that the government's Exhibits 2 and 3 to its Opposition to the Defendant's Amended Motion to Suppress (ECF No. 95) pertaining to defendant Robert Godinez, and government's Request to Seal shall be SEALED until further order of this Court.¹

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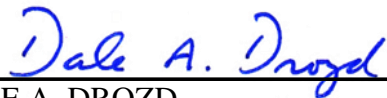
¹ The government's application to seal is erroneous in several respects. First, it states that the court has "already sealed the defendant's moving papers." (Request at 1.) The court has not done so and, in fact, has now denied the defendant's original request to seal as well as his amended request to seal as inadequate. (Doc. Nos. 77, 92.) Second, the government's request to seal erroneously refers to Doc. No. 90 as defendant's amended motion to suppress. In fact, that filing on the docket is a defense amended request to seal that has been denied by the court. Finally, the government's request states that it seeks the sealing of its opposition to defendant's amended motion to suppress but the proposed order relates only to government Exhibits 2 and 3 to that opposition. The court makes clear that for the same reasons it has denied the defense requests to seal the motions and notice in their entirety, it would not grant a government request to seal its entire opposition based on the showing presently made. This order authorizes the filing under seal only of the government's exhibits two and three to its opposition to defendant's motion to suppress.

1 It is further ordered that access to the sealed documents shall be limited to the government and
2 counsel for the defendant.

3 The Court has considered the factors set forth in *Oregonian Publishing Co. v. U.S. District Court*
4 *for the District of Oregon*, 920 F.2d 1462 (9th Cir. 1990). The Court finds that, for the reasons stated in
5 the government's request, sealing the government's motion serves a compelling interest. The Court
6 further finds that, in the absence of closure, the compelling interests identified by the government would
7 be harmed. In light of the public filing of its request to seal, the Court further finds that there are no
8 additional alternatives to sealing the government's motion that would adequately protect the compelling
9 interests identified by the government.

10 IT IS SO ORDERED.

11 Dated: May 1, 2025

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13 DALE A. DROZD
14 UNITED STATES DISTRICT JUDGE
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